

Responsive to official action mailed December 19, 2005
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RECEIVED Appl. no. 10/688,583
CENTRAL FAX CENTER Atty. Ref. SAT.P.US0007
IN001b

SEP 17 2007

REMARKS

Claims 3, 7-13, and 19-29 were appealed. The Board summarized the aforementioned decision in the following manner:

CONCLUSION

In summary:

- 1) The rejection of claims 3, 8, 11, 12, 19, and 20 through 24 under 35 U.S.C. § 102(b) based on Mueller is affirmed;
- 2) The rejection of claims 5, 7 through 9, 11, 12, 19, and 20 under 35 U.S.C. § 102(b) based on Kittel is reversed;
- 3) The rejection of claims 5, 20, and 25 through 29 under 35 U.S.C. § 103(a) based on Mueller is reversed;
- 4) The rejection of claim 13 under 35 U.S.C. § 103(a) based on Mueller and Ho is affirmed; and
- 5) The rejection of claim 10 under 35 U.S.C. § 103(a) based on Kittel is reversed.

The status of claims after this decision was as follows:

- | | |
|---|------------------------------|
| ▪ rejections maintained | - 19, 3, 8, 11-13, and 20-24 |
| ▪ rejections overturned but dependent from rejected claim | - 5, 7, and 9-10 |
| ▪ all rejections reversed | - 25-29 |

In a telephonic interview conducted on 11 September 2007, the undersigned and Examiner Matzek discussed the foregoing for approximately 10 minutes. The discussion centered on how to interpret the overturned rejections in view of the Board's additional suggestion regarding further consideration of claim 10.¹ Agreement was reached that that the suggestion regarding claim 10 should be read as applying additionally to claims 7 and 9 and, accordingly, the appropriate amendment was to include the limitations of former claim 5 into claim 19. Further, agreement was reached that this type of submission be made by Applicant in lieu of the procedure described in MPEP § 1214.06, Part II, after the expiration of the two-month time limit for further pursuit of court action by Applicant.

This submission includes a cancellation of claim 5 and incorporation of its limitation into claim 19. This is submitted to put into effect the results of the aforementioned Board decision.

Inquiries concerning this submission should be directed to the attention of the those associated with Customer No. 46588.

Respectfully submitted,



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¹ The Board decision, in a footnote, suggested that the patentability of claim 10 be considered in view of the Mueller reference.